**IN THE HIGH COURT OF JUDICATURE OF BOMBAY**

**CIVIL APPELLATE JURISDICTION**

MISC.CIVIL APPLICATION NO.26 OF 2005

Rupa Chintaman Gokhale. ..Applicant.

V/s.

M/s.Bal Enterprises & Ors. ..Respondents.

Ms.Brinta D'souza i/b Vashi for applicant.

**CORAM: A.M.KHANWILKAR,J**

**DATE : MARCH 31, 2006.**

**P.C. :**

1. None appears for the respondents though served. No reply has been filed opposing this application. In the application it is stated that two cross suits have been filed between the parties. One suit is instituted on the original side of this court being Suit No.724 of 1992, whereas the respondents have thereafter, filed suit before the City Civil Court, Mumbai being Suit No.1275 of 1996. As issues raised in both the suits are overlapping and between the same parties, in my opinion, in the interest of justice, this application should succeed in terms of prayer clause (b). Ordered accordingly.